
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

HOWARD G. DIAMOND, #27213-078

versus

UNITED STATES OF AMERICA

§
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§

CIVIL ACTION NO. 4:20cv397

CRIMINAL ACTION NO. 4:17cr118(1)

ORDER OF DISMISSAL

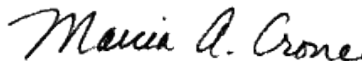
The above-entitled and numbered civil action was referred to United States Magistrate Judge Aileen Goldman Durrett, who issued a Report and Recommendation (#51) concluding that the Amended Motion to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody filed pursuant to 28 U.S.C. § 2255 should be denied and dismissed with prejudice. Movant, with the assistance of counsel, filed objections (Dkt. #54).

The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration. Having made a *de novo* review of the objections raised by Movant to the Report, the Court concludes that the findings and conclusions of the Magistrate Judge are correct, and the objections of Movant are without merit.

It is accordingly **ORDERED** that Movant's Amended Motion to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody (#22) pursuant to 28 U.S.C. § 2255 is **DENIED**, and the case is **DISMISSED** with prejudice. A Certificate of Appealability is **DENIED**. All motions by either party not previously ruled upon are **DENIED**.

Signed this date

Sep 26, 2023



MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE